

Summons in a Civil Action (Rev 11/97)

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 JAN -3 PM 3:52

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SUMMONS IN A CIVIL ACTION

Case No. 07 CV 2233 DMS

Donnie Knauts
vs
WMC Mortgage
Countrywide Home Loans
ASC (American Securitizing Co.)
Mortgage Lenders Network USA, Inc.

TO: (Name and Address of Defendant)

Mortgage Lenders Network USA, INC.
213 Court ST.
Middletown, CT 06457

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Donnie Knauts
2360 Cypress St.
Lemon Grove, CA 91945

An answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JAN 03 2008

W. Samuel Hamrick, Jr.

CLERK
K. HAMMERLY
SEAL

DATE

By

, Deputy Clerk

Summons in a Civil Action

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RETURN OF SERVICE			
Service of the Summons and Complaint was made by me		DATE <u>1/3/08</u>	
NAME OF SERVER <u>Sean Chinn</u>		TITLE <u>Ind. Process Server</u>	
Check one box below to indicate appropriate method of service			
<p>Served personally upon the defendant. Place where served: _____</p> <p>Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:</p> <p>Name of person with whom the summons and complaint were left: _____</p> <p>Return unexecuted:</p> <p>Other (specify): <u>Served by certified mail at US post office in San Diego, CA.</u></p>			
STATEMENT OF SERVICE FEES			
TRAVEL		SERVICES <u>0</u>	TOTAL \$0.00 <u>0</u>
DECLARATION OF SERVER			
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.</p> <p>Executed on: <u>1/3/08</u> Date <u>1/3/08</u> Signature of Server <u>Sean Chinn</u></p> <p style="text-align: right;">Address of Server <u>113 West G St. #203 San Diego, CA 92101</u></p>			
NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE			
<p>IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u></p> <p>YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.</p> <p>JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.</p>			

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure